

MINUTES
of the meeting of the
COMMISSION ON PROFESSIONAL STANDARDS
IN EDUCATION

September 16, 2015

The Commission on Professional Standards in Education (COPS) held a public meeting on September 16, 2015 at 8:00 am. The sites were connected by video conference at the locations below.

Department of Education
9890 South Maryland Pkwy
Board Room
Las Vegas, NV 89183

and

Department of Education
700 East Fifth Street
Board Room
Carson City, NV 89701

and

Great Basin College
1500 College Parkway
McMullen Hall, Room 110
Elko, NV 89801

Members Present:

Melissa Burnham
Frances McGregor
Ana Zeh
Kapua Maruyama
Jennifer Carvalho

Members Not Present:

David Wilson
Michelle Gallivan-Wallace
Karen DeLuce
Ramona Esparza

Department Staff Present:

Dena Durish, Educator Effectiveness and Family Engagement Division
Jason Dietrich, Office of Educator Licensure
Kim Bennett, Office of Educator Licensure

Legal Counsel:

Greg Ott, Deputy Attorney General

Audience in Attendance:

George Anne Rice, MNet
Tonya Walls, Touro University Nevada
Lisa Bailey, Sierra Nevada College
Theo Small, Clark County Education Association
Roberta Ross-Fisher, Western Governors University
Ben Mayfield, Western Governors University
Mike McLamore, NSEA
Patricia Cooper, Sierra Nevada College
Jessica Bouchte, Clark County School District

Andre Yates, Clark County School District
Linda Quinn, University of Nevada Las Vegas
Jennifer Varrato, Clark County School District
Kate Schum, Washoe County School District

Agenda Item #1 – Call to Order; Roll Call; Pledge of Allegiance

President Burnham called the meeting to order at 8:27 am.

Roll call attendance was taken as reflected above. It was determined a quorum was met.

Commissioner McGregor led the Commission in the Pledge of Allegiance.

Agenda Item #2 – Public Comment #1

There were no public comments in Carson City, Las Vegas or Elko.

Agenda Item #3 – Approval of Flexible Agenda

Motion: Commissioner McGregor made a motion to approve a flexible agenda. Motion was seconded by Commissioner Maruyama. Motion carried unanimously.

Agenda Item #4 – Approval of July 29, 2015 Minutes

The Commission took a few minutes to review the [minutes](#) provided. President Burnham reminded the Commission to use electronic devices to view all meeting materials. No revisions were requested.

Motion: Commissioner Zeh made a motion to approve the minutes of the July 29, 2015 meeting. Motion was seconded by Commissioner Carvalho. Motion carried unanimously.

Agenda Item #5 – Nevada Department of Education updates shared by Jason Dietrich

Jason Dietrich presented the following licensure updates:

- Melodie Barnes, Senior Analyst, will be retiring effective October 1st; recruitment is complete and a job offer was made to Megan Tirey, she accepted and her position starts effective October 5th. Megan comes from the Department of Health & Human Services and has a strong analytics background; she will be a great fit to the team.
- Effective September 1st the Educator Licensure website loaded the new reciprocity matrix; the licensee will submit out of state licensure along with valid test scores. Great work done by the OEL.
- The Carson City OEL office is relocating to Roop Street where the Career & Technical Education groups are hopefully October 2015; the space is currently under construction. They will move to the Roop Street location; Jason will have a notice out with the address 2 weeks prior to move with updates.
- In reference to a request made by Andre Yates, Clark County School District Human Resources, to look back at meeting notes for the availability of using the alternative route to certification (ARC)/option for the Computer Science license; Jason states the research is complete and it was determined that Computer Science is not a viable option for the program, because ARC/option only applies to special education. Dena states COPS can consider other options, such as revisiting the license requirements, in the future.

Dena Durish presented the following department updates:

- The legislation implementation report; there were 34 bills that directly impacted education and are posted on the NDE website, she encourages all to review. We will be adding a new feature so

anyone can subscribe to emailed updates and shows steps taken to date. It is helpful as planning tool for the department and an accountability piece for the public.

- Update on Assembly Bill 234 regarding multicultural education; the Commission will be holding a workshop and a hearing to update licensure language. NDE has formed a work group of over 20 stakeholders, the first meeting is next Monday, email Dena at Ddurish@doe.nv.gov if there is interest in participating. Recommendations are to be compiled by Dena and brought to Commission.
- Two staffing changes; a family engagement position posted and will be interviewing soon. James Kenyon accepted a teaching faculty member position, with interviewing next week, more updates to come.
- NRS 391.033 moral turpitude workshop is scheduled for October 9, 2015 to discuss offense definitions and timelines for initial issuance, renewal, and revocation and suspension of existing licenses, the hearing will go to the State Board for review.

Agenda Item #6 – Review and possible approval/denial of the following Alternative Route to Licensure new or revised provider applications, pursuant to NAC 391.461

President Burnham provided an overview. The ARL subcommittee makes the decision; the Commission will approve/deny providers as applicable. Dena noted that a summary of the review team motions and any updates are to be presented; all applications are online in Google Docs for members and public viewing. James Kenyon is no longer on the team due to employment separation, William Holladay was not in attendance, and those present were Dena, Commissioner Wilson, and President Burnham. The providers were also present at the review for any questions.

The following institutions were presented for consideration:

Clark County School District (CCSD):

CCSD submitted requests for modifications and to add 2 new special education programs. The motion passed by all 3 team members for online delivery, and they are looking at several different online options for delivery with their partners. Challenges were technology and logistics requirements, calendar dates, fingerprinting and backgrounds and when and where they would occur; the modifications proposed were approved. New program additions discussed; they added more mentoring and onsite in-service training, added non-violent crisis intervention training, included new staff member updates, and added program coursework and included early childhood developmentally delayed Praxis requirements. President Burnham noted a wording change made by Commissioner Wilson regarding weekly site based mentoring; Dena states the change was made to indicate a minimum of 30 hours. Dena states fingerprinting was added back in for all programs, it is required 3 weeks prior to acceptance to program.

President Burnham stated the subcommittee moved to approve the requests and modifications. In response to a question about whether separate motions were needed, Deputy Attorney General Greg Ott stated that “bundled motions” for these programs would be okay with any modifications noted.

Motion: Commissioner Carvalho made a motion to approve the CCSD recommendations per the August 31st ARL subcommittee meeting findings. Motion seconded by Commissioner Zeh. Motion carried unanimously.

University of Nevada, Las Vegas (UNLV):

UNLV requested revisions to elementary and secondary programs, faculty from UNLV were in attendance at the subcommittee for questions. If one of the 9 credit classes were not available, they are

asking for optional and/or equivalent topics. The subcommittee discussed Praxis exams and more specificity, as well as the process and timeline questions. They also asked for a faculty listing of those involved in the programs by expertise. The review team approved the changes submitted. President Burnham asked for the UNLV audience member to answer questions regarding taking 4 classes in a semester and whether it is attainable in 2 to 3 years along with full time employment. In attendance is Linda Quinn, UNLV, who spoke and states that one class is a field experience class. The early childhood program is taught in 4 week modules during a semester, often on weekends.

Motion: Commissioner Carvalho made a motion to accept the UNLV ARL subcommittee recommendations to revisions and modifications of the existing early childhood and elementary, secondary, and special education programs. Motion seconded by Commissioner Maruyama. Motion carried unanimously.

Western Governors University (WGU):

WGU submitted a new, comprehensive, initial application for ARL. They currently have an approved non-ARL program. Section 4 Program Design, provided an overview of each program, Section 6 indicated timelines for each program, Section 7 is the evaluation piece that was the same for all programs. WGU is a competency based institution, with a module pathway and unique delivery method. President Burnham noted the NAC requirements for each content area indicated 9 semester hours and that we hold all institutions accountable to the same standards. Deputy Attorney General Ott looked at NRS and NAC, and clarified that the Commission's job is to determine if an ARL provider is worthy of approval per NAC 391.461, and what should be included in the application. It does require the Commission to provide written response to a denial with details. The application should include showing ways program demonstrates compliance, as consistency across the board was noted; there should be one set of ARL rules applied to all, statute gives the ability to look at what's being offered by the applicant. Ott does not see issues with requiring a specific number of credit hours, but states it needs to be consistent for all to be held to the same standard to make a determination of approval or denial, with written document to applicant of a denial, and/or provisional approval with conditions to be met.

Commissioner Carvalho does have concerns about compliance, but is inclined to approve the application to allow development of more qualified teachers. President Burnham is looking for consistency in meeting criteria across the board; Deputy Attorney General Ott feels we might need separate analysis of ARL versus traditional programs. Dena suggests having the provider submit a modified application demonstrating meeting burden of proof, reminding that we will soon be starting to track student graduate outputs related to effectiveness and student outcome measures in accordance with NAC reporting.

President Burnham wants to clarify that there is openness to reviewing and considering any/all providers meeting specific requirements. Dena referenced two national charter providers that want to come to Nevada and thinks the ARL review team and the Commission should have flexibility under 391.461. Dena says we have been given \$60,000 by the legislature for a licensure study for next 18 months to study NRS and NAC; we can look at national best practice and identify holes in the process. The State Board wants to re-review all traditional programs, likely after the study is completed. There are currently 36 programs on the state-approved list; the licensure analysts ensure that transcripts are from an approved state program. President Burnham says specific courses are being reviewed for eligibility because they are in statute, and asks does 391.461 give us authority to interpret statute more loosely. Dena clarifies that the only course requirements in statute are family engagement, the new AB234 class, Nevada School Law, Nevada Constitution, and US Constitution. Deputy Attorney General Ott feels we would find that WGU does meet statute through a crosswalk, and we would likely find they do comply. Commissioner Carvalho feels the Commission's job is fluid, doesn't have problem with

making decisions about widening opportunities for letting teachers in classrooms, and would like to see this move forward approving the program. President Burnham is also in favor of increasing qualified teachers, wants to ensure decisions are made with the Commission's purview are okay, being careful looking at crosswalks, and that we need strong committee members to dig deeply to make right decisions. Dena suggests a future agenda item of composition of the review team; could be school districts, other providers, community members, etc.,

President Burnham took a moment to review and read aloud some of the updated family engagement content in the application. Commissioner Carvalho has asked Roberta Ross Fisher, in attendance on behalf of WGU, to answer questions. Roberta feels 3 semester hours of credit are required but an approved in-service alternative may have been overlooked. President Burnham noted the in-service option was removed; Jason Dietrich stated it has been removed and cannot be considered at this time. The LCB document is not yet updated for the public; Roberta said it was still active on website but President Burnham says the website was not updated with removal of temporary regulation. Jason states there was miscommunication with document placement on the website, resulting in a revision to the LCB draft revision language that was not loaded as of Monday this week but is forthcoming. President Burnham asks if course hours are defined anywhere in regulations; Dena cannot find it in relation to licensure requirements, and Deputy Attorney General Ott doesn't have location either; to date, we are operating under assumption that 45 contact hours are used.

President Burnham asked WGU to answer more questions; Roberta Ross-Fisher states each webinar is 2-3 hours each, with follow up time for reflection and writing of responses and communication with student and course mentors. It is difficult to put clock hours in the requirement, but she is confident that the content meets the equivalent of the "spirit" of a 3 semester credit hour. President Burnham wants to ensure we are following NAC requirements and showing the content embedded in a variety of ways would be helpful to Commission; she is inclined to not approve due to the family engagement piece, but happy to discuss provisional approval per Deputy Attorney General Ott's recommendations. Roberta understands the concerns and feels they meet requirements, but is concerned that the new requirements are not on a public website. Dena issued a formal apology to WGU due to the regulation and legislative process; she did clarify that it is the law approved by Secretary of State as of July 1st, and was our oversight in not providing the updates. Deputy Attorney General Ott says legislature put a provision approval process in place as an option. Commissioner Carvalho asked WGU if they believe they have 45 content hours of family engagement content instruction in their program; Roberta is confident that they do and can provide crosswalk documentation if needed. Roberta states she was originally asked to not include the family engagement information by an employee who no longer works at the department. Commissioner Carvalho motioned to approve the WGU application for new elementary and secondary programs; with no second motion, the motion dies per President Burnham. Commissioner McGregor feels if WGU is confident of required hours, they can show the Commission proof of inclusion at a later date. Commissioner Zeh is open to a provisional approval with crosswalk. Commissioner Carvalho made another motion for provisional approval of WGU application for new elementary and secondary programs in accordance with the NAC. Commissioner Maruyama seconded the motion. Deputy Attorney General Ott clarified what NAC 391.461 says on provisional approval; it is valid 2 years from date of provisional approval, auto-revocation if information is not supplied during timeline. Roberta can get a crosswalk to us in 24 hours. President Burnham asked for submission to be heard at the October Commission meeting.

Motion: Commissioner Carvalho made an amended motion for provisional approval. Motion seconded by Commissioner Maruyama. President Burnham requested to have the crosswalk for family engagement be brought to next meeting and apologized for the confusion about the requirements.
Motion carried unanimously.

Great Basin College (GBC) is the higher education partner for the following 6 districts:

- Elko County School District
- Eureka County School District
- Humboldt County School District
- Lincoln County School District
- Nye County School District
- White Pine County School District

Each district is their own provider working in collaboration with GBC. Tom Regan, GB faculty lead, works closely with the 6 districts, many need to add Pre-K programs and special education. A joint application was submitted with all 6 districts; two areas discussed were elementary course titles and descriptions of early childhood, as well as questions about course sequence coursework hours and the heavy workload associated. The team felt each application should delineate by semester and the recommended course sequence; which was added as appendix G. The class flow offered other options and flexibility for course offerings. The recommendation is to approve the addition of early childhood and special education for all 6 districts.

President Burnham asked that they be aware of what the department considers to be acceptable regarding the family engagement requirement; Dena states the family engagement class was required for all initial licenses and was a problem due to in state providers not adding to their programs and out of state applicants not having the course. A temporary regulation workshop and hearing was held to allow 3 years to complete the course as a provision if they do not already have it. President Burnham would like in state candidates to be cleared of the requirements upon initial licensure, and will want to clarify what courses meet the requirements for success. Dena stated this will be added to a preparation program meeting future agenda and will work with licensure analysts to properly identify eligible courses for all licensees in accordance with NRS requirements.

Motion: Commissioner Zeh made a motion to approve the 6 districts' recommendations for GBC. Motion was seconded by Commissioner Carvalho. Motion carried unanimously.

Agenda Item #7 – Consideration of 2015-2016 Alternative Route to Licensure Provider Application

Based on prior Commission meeting discussions, Jason Dietrich has compiled a potential ARL timeline allowing for 2 review processes per calendar year; April 1 to end of May, and September 1 to end of October. It will not be necessary for the Commission to approve it yearly, as specific calendar dates are not listed, it is based on months. President Burnham feels it was helpful to have applicants present for any questions; Jason confirmed the applicants' attendance and electronic means must be required. President Burnham clarified that the motion should state to remove the existing timeline and be replaced with the new timeline to go into effect immediately; the next submission date would be April 1, 2016. Dena feels there might be concern with existing application timelines showing acceptance until November 1st and knows of other providers who may be submitting before November 1, suggests a January 15 or February 1st effective date. Tom Regan in attendance for GBC, states that GBC has 1 to 2 applications to be submitted prior to November, but is fine submitting in April for new ARL programs. Deputy Attorney General Ott doesn't see problems with the change. President Burnham doesn't want 3 application review cycles but could pursue a November approval if needed.

Motion: Commissioner McGregor made a motion to approve removing old timeline and moving with new timeline proposed effective immediately. Motion was seconded by Commissioner Zeh. Motion carried unanimously.

Agenda Item #8 – Consideration of modifications to the Alternative Route to Licensure Provider Application

Jason made one modification to the ARL application to remove the timeline from the document so the Commission does not have the burden of yearly review, or when dates change, asking for approval for updated application with removal of timeline, and will place the reference to the ARL site listing the timelines.

Motion: Commissioner McGregor made a motion to approve. Motion was seconded by Commissioner Carvalho. Motion carried unanimously.

Agenda Item #9 – Consideration of modifications to the Alternative Route to Licensure Modification Request Form

Jason states the Commission previously approved modifications at the last meeting, and he has been asked by 2 in-state institutions to make modifications; for example, they want a line item modification to allow flexibility to modify a new course as it approved by State Board of Education. Jason asks the Commission if it should it be approved with the document as a substantive change or brought back to Committee; President Burnham asked what it would be called; Jason feels we could call it “Core Substitution Change” with language indicating State Board of Education approval. President Burnham feels if the Board is already approving it, she supports the modification. Commissioner Carvalho supports the modification; Jason will draft the language within the document and bring to the October meeting.

Motion: Commissioner Carvalho made a motion to provide proposed amended ARL application for modification at the next Commission meeting. Motion was seconded by Commissioner Zeh. Motion carried unanimously.

Agenda Item #10 – Model Code of Ethics for Educators

Dena Durish and Theo Small, Vice President of Clark County Education Association, provided a PowerPoint presentation on professional code of ethics in our industry developed and recently adopted by the national NASDTEC organization and posted as support materials for this agenda item. The goal is to recommend Nevada adopting the NASDTEC code. There was background and history provided on how the code was formed, the importance of the matrix, the national clearinghouse disciplinary actions from other states, and the State Board’s actions in Nevada. We currently only have judicial decisions or legislative actions to default to regarding professional code of ethics,, this would be a guide of principles to provide a best practice basis and accountability in ethical decision making. Feedback was solicited by many partners during the process, resulting in creating a committee and taskforce in 2014 that set up scenarios of ethical assessments in order to make good decisions in practice. President Burnham noted they are starting to incorporate this in UNRs education programs. Dena feels we could adopt this for Nevada programs and/or put in regulations to require for new applicants or at renewal. President Burnham states there could be many options and asks members to consider if they want regulations in place; Dena reviewed the Commissions statutory responsibilities and stated it could possibly be adopted as a regulation or policy. Commissioner Maruyama asked to agendize at a future meeting to delve deeper. President Burnham asks to agendize for next steps, and recommendations for Nevada adopting or leading the codes of ethics, and what other states are doing assuming it will apply to both traditional and ARL candidates. Commissioner Carvalho wants to know what other states require, and whether it’s an impediment or not, doesn’t want to add too much to the teachers’ plates. President Burnham doesn’t feel we are ready for the official ethics assessment

yet is willing to discuss adopting and/or considering the program by ETS that Dena mentioned. Commissioner Carvalho doesn't want to be the only state adopting the program. President Burnham assumes only a handful of states have adopted the ETS ethics assessment, but we could ask Dr. Owens to attend a future meeting and present further information. Dena will work with Dr. Owens and provide additional information on what the assessment looks like, and will also reach out to Troy Hutchins to see if he can talk about it as well.

Agenda Item #11 – Testing/Coursework for Additional Endorsements

President Burnham requested tabling agenda item #11 to the October meeting; Jason will move to a future agenda.

Agenda Item #12 – Future Agenda Items

- Model Code of Ethics
- LCB items ready for public hearing, parental involvement and family engagement language
- ELAD providing materials provided timely, will be a workshop
- Modifications to ARL modification form
- Testing/coursework for additional endorsements

Agenda Item #13 – Commissioners Comments

None

Agenda Item #14 – Deputy Attorney General Comments

None

Agenda Item #15 – Public Comment #2

There were no public comments in Carson City, Las Vegas, or Elko

Agenda Item #16 – Meeting Adjournment

Meeting was adjourned 12:10 pm